

EXHIBIT C

Order No.: _____ at the Courthouse at (address): _____ Court County of _____ State of New York

NYSID No.: _____

Present: Hon _____

PEOPLE OF THE STATE OF NEW YORK

-against-

ALEXANDER BRICENO

Defendant

Date of Birth: March 23, 1981

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND THEN CONTINUES IN EFFECT UNTIL A NEW DATE SET BY THE COURT.

☒ TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of ☐ recognizance ☐ release on bail ☐ adjournment in contemplation of dismissal],
☐ ORDER OF PROTECTION. Whereas defendant has been convicted of [specify crime of violation]: _____

And the Court having made a determination in accordance with section 530.13 of the Criminal Procedure Law, IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:

(Check applicable paragraphs and subparagraphs):

- ☒ Stay away from _____ [name(s) of protected person(s) or witness(es)]: CARLOS MARTELL
 and/or from the _____
☒ home of _____ CARLOS MARTELL
☒ school of _____ CARLOS MARTELL
☒ business of _____ CARLOS MARTELL
☒ place of employment of _____ CARLOS MARTELL
☒ Do not go within 100 yards of the above-named person(s). You will be in violation of this Order even if you are invited back into the home. No third party contact.
☐ other _____

- ☒ Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other electronic or any other means with [specify protected person(s)]: CARLOS MARTELL
☐ Refrain from remotely controlling, monitoring, or otherwise interfering with any electronic device or other object affecting the home, vehicle or property of the protected person(s) by connection through any means, including, but not limited to, the internet, Bluetooth, a wired or wireless network, or other wireless technology.
☒ Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, strangulation, criminal obstruction of breathing or circulation, disorderly conduct, criminal mischief, sexual abuse, sexual misconduct, forcible touching, intimidation, threats or any criminal offense or interference with the victim or victims of, or designated witnesses to, the alleged offense and such members of the family or household of such victim(s) or witness(es) as shall be specifically named [specify]: CARLOS MARTELL
☐ Refrain from intentionally injuring or killing without justification the following companion animal(s) (pet(s)) [specify type(s) and, if available, name(s)]: _____
☒ Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following: all firearms and do not obtain any further guns or other firearms. Such surrender shall take place immediately, but no event later than [specify date/time]: _____ at the local precinct.
☐ Specify other conditions Subject to all subsequent Family Court orders of visitation and custody defendant must observe for the purposes of protection: _____

IT IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law section 400.00, is hereby ☒ suspended or ☒ revoked (Note: Final Order only), and/or ☒ the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes).

NOTE: If this paragraph is checked, a copy of this form must be sent to: New York State Police, Pistol Permit Section, State Campus Building #22, 1220 Washington Avenue, Albany, New York 12226-2252.

IT IS FURTHER ORDERED that this order of protection shall remain in force until and including [specify date]: 12-11-22

If this is a Temporary Order, it shall expire on this date or upon the case's disposition, whichever comes first. Arresting officer should confirm that this Order has not been modified or vacated prior to this date.

DATED: 12/7/2021

JUDGE/JUSTICE

COURT (COURT SEAL)

☐ Defendant advised in Court of issuance and contents of Order.

☒ Order personally served on Defendant in Court

(Defendant's signature)

☐ Order to be served by other means [specify]: _____

☐ Warrant issued for Defendant

☐ ADDITIONAL SERVICE INFORMATION-[specify]: _____

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize, and in some situations may require, such officer to arrest a defendant who has violated its terms and to bring him or her before the Court to face whatever penalties may be imposed therefor.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 U.S.C. sections 2265, 2266).

It is a federal offense to:

.cross state lines to violate this order or to stalk, harass or commit domestic violence against an intimate partner or family member;
 .buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition while this Order remains in effect (Note: there is a limited exception for military or law enforcement officers but only while they are on duty); and
 .buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition after a conviction of a domestic violence-related crime involving the use or attempted use of physical force or a deadly weapon against an intimate partner or family member, even has expired. (18 U.S.C. sections 922(g)(8), 922(g)(9), 2261, 2261A, 2262).

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